

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Claims 1-6 and 15-25 are pending in this application. In the Final Office Action of January 20, 2006, the Examiner indicated that claims 1-6 remain allowed. Applicants thank the Examiner for allowing these claims. The Examiner rejected claims 15-25 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,287,434 ("Bain") in view of U.S. Patent No. 5,287,194 ("Lobiondo") and U.S. Patent No. 5,045,880 ("Evanitsky").

In a telephone interview between the Examiner and the undersigned on February 23, 2006, amendments to claims 15 and 16 were discussed and respective amendments that would overcome the current rejections were agreed upon. Applicants would like to sincerely thank the Examiner for participating in the interview and submit that the amendments presented in this response reflect the agreements made during the interview.

Specifically, Applicants have amended claims 15 and 16 based on the Examiner's suggestions to more particularly define the invention. A similar amendment to that of claim 16 has been made to claim 21. No new subject matter has been added. Support for the amendments to claim 15 may be found, for example, at page 154, lines 8-14. Support for the amendments to claims 16 and 21 may be found, for example, at page 162, line 9 to page 163, line 6.

Discussion of the Amendments

Based on the agreement with the Examiner, claim 15 has been amended to recite “scheduling means for scheduling the jobs using the plurality of queues, wherein each job has associated job information which includes job status information” and “wherein if the status of a job is changed due to the failure, the status recovered is a changed status and the job information including the job status information associated with the job having the changed status is updated to reflect the changed status.”

The Examiner agreed that the above amendment would overcome the obviousness rejection of claim 15 over the combination of *Bain*, *Lobiondo*, and *Evanitsky* at least because this combination fails to show or suggest updating the job information associated with the job having the changed status to reflect the changed status, as required by amended claim 15. Accordingly, Applicants submit that at least because the combination of *Bain*, *Lobiondo*, and *Evanitsky* fails to show or suggest each and every feature of amended claim 15, amended claim 15 is patentable over this combination under 35 U.S.C. § 103(a).

With regard to claim 16, Applicants have amended the claim, as suggested by the Examiner, to recite “modifying the attribute information only when a print job can be changed at the time that an instruction for modifying the attribute information of the print job is received, and when the attribute information is determined to be acceptable to the job scheduling device; and wherein the attribute information is at least one of paper size, tray number, and the availability of double-sided printing.” The Examiner agreed that the amended claim is not obvious in view of *Bain*’s modification of job priority.

Accordingly, at least because *Bain* was exclusively relied upon to reject the above feature of claim 16, amended claim 16 is patentable over the combination of *Bain*, *Lobiondo*, and *Evanitsky* under 35 U.S.C. § 103(a). Moreover, Applicants submit that a similar amendment to that of claim 16 was made to independent claim 21. Amended claim 21 is therefore also patentable over the combination of *Bain*, *Lobiondo*, and *Evanitsky* under 35 U.S.C. § 103(a) for at least the same reasons. Claims 17-20 and 22-25 depend from claims 16 and 21, respectively, and are, therefore, additionally patentable at least because of their dependence on a patentable base claim.

Conclusion

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Therefore, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

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